

Poetry Ireland / Éigse Éireann

in association with The Arts Council/An Chomhairle Ealaíon



Guidelines for the Protection and Welfare of Children and Young People in the Arts Sector

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Foreword

In 2004 Poetry Ireland became involved in a consultation process, along with the Arts Council/ An Chomhairle Ealaíon, the HSE and other arts organisations working with children and young people, in the drafting of a generic set of guidelines for artists working in this area. Each organisation then adapted these to the specific needs of their own artists. These current guidelines are the result of this initial process along with the developments that have occurred over the intervening years and culminating with the implementation of the legislation around the National Vetting Bureau in 2016.

The *Guidelines* were and are specifically designed with the needs of artists in mind, they are intended to provide practical and useful information and be of help to artists in their work, as well as adding to good practice in the area of arts education. They are available to download as a PDF from our website [here](#) .

Poetry Ireland would like to acknowledge the contribution of the HSE and the ongoing input from the National Vetting Bureau as well as the contributions from various writers on the WIS Scheme in the compilation and refinement of these guidelines. We continue to welcome feedback on the guidelines, with a view to continually improving the guidelines and keeping them relevant to the work of writers on the Scheme.

These guidelines were formally adopted by the Board of Poetry Ireland at a meeting on the 4th September 2017.

Jane O’Hanlon
Education Officer
Designated Officer

Anna Boner
WIS Development Officer
Authorised Signatory

Child¹ Protection Policy Statement

We in POETRY IRELAND, are committed to a child-centred approach to our work with children and young people. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. We will adhere to the *Children First: National Guidelines for the Protection and Welfare of Children* by having and implementing procedures covering:

- Safe recruitment, training and management/supervision of staff²**
- Code of behaviour for staff**
- Incidents and accidents**
- Complaints**
- Reporting of suspected or disclosed abuse (See Appendix 1 for categories of abuse)**
- Confidentiality**
- Circulation of information to staff, writers, artists, teachers and schools on what we do and what they should expect from us, including information on policies and procedures**
- Allegations of misconduct or abuse by staff and/or participating artists**

This policy was reviewed and adopted on 4th September 2017

¹ The Child Care Act 1991 (17/1991) defines a child as a 'person under the age of 18 years other than a person who is or has been married' (S.2.1).

² In this instance Staff² refers to Poetry Ireland staff, WIS artists, facilitators and interns

Code of behaviour for staff

Child-centred approach

- Treat all children and young people equally
- Use appropriate language (physical and verbal)
- Treat all children and young people as individuals
- Boundaries on behaviour and related sanctions, as appropriate, to be discussed with teachers/responsible adults
- Have contracts/agreements with school/library/host organisation
- Be aware of a child/young person's time limitations e.g. school/exams when scheduling rehearsals/activities
- Respect differences of ability, culture, religion, race and sexual orientation
- Avoid spending excessive amounts of time alone with children/young people

Inappropriate behaviour

- Do not use/allow offensive or sexually suggestive physical and/or verbal language³
- Do not single out a particular child/young person (for unfair favouritism, criticism, ridicule, or unwelcome focus or attention)
- Do not allow/engage in inappropriate touching of any form
- Do not hit or physically chastise children/young people
- Do not socialise inappropriately with children/young people e.g. outside of structured organisational activities

³ However, work emanating from the artistic process and work of artistic content will not be censored in this way

Code of behaviour for staff

Physical Contact

- Seek consent of child/young person in relation to physical contact to support/help a child (except in an emergency if a child is in danger)
- Avoid horseplay, inappropriate touch
- Check with children/young people about their level of comfort when doing touch exercises

Health and Safety

- Don't leave children unattended or unsupervised
- Manage any dangerous materials
- Provide a safe environment
- In the case of an accident school/library accident procedures should be followed accordingly

Reporting procedures

Role and responsibility of Designated Officer

The Designated Officer is the main point of contact where there is an issue or concern about any aspect of a child's or young person's safety and welfare. It is their responsibility to advise staff about policy and procedures in relation to child protection and to ensure that procedures are followed.

The Designated Officer will support and advise staff in the event of a concern regarding child protection and welfare. It is also their responsibility to liaise with the Tusla or Gardaí where appropriate.

The Designated Person in Poetry Ireland is Jane O'Hanlon, the Education Officer, who can be contacted at 01 6789815.

The deputy Designated Person is Anna Bonner, WIS Development Officer who can be contacted at 01 6789022/ 01 6789815.

Note: Every school will also have a Designated Officer, who can be contacted by the teacher as necessary.

The following would constitute reasonable grounds for concern:

- (i) specific indication from the child or young person that s/he has been abused
- (ii) an account by a person who saw the child/young person being abused
- (iii) evidence, such as an injury or behaviour, which is consistent with abuse and unlikely to be caused another way
- (iv) an injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour
- (v) consistent indication, over a period of time, that a child is suffering from emotional or physical neglect⁴

⁴ *Children First: 4.3.2, p. 38*

Reporting procedures

What a writer should do

If the concern is about a child you meet while working in a school/library you do the following:

- You must speak to the teacher/librarian or responsible adult
- Make a written record of the concern (see first point on next page)
- If a report is made to the Designated Officer in the school/library you must then contact Poetry Ireland's Designated Officer and give a general outline of the procedures completed in the school/library
- Although other staff in the local organisation will be the one passing the concern onto the Tusla, you should be aware that the Tusla social worker may want to talk to you to hear your direct observations or what the child said to you

Reporting procedures

General Tusla guidelines

- Record the concern, including the date, time and people involved in the concern/disclosure (for example in an incident book). Information recorded should be **factual**. Any opinions recorded should be supported by facts
- Inform the Designated Officer or, if unavailable, their deputy
- The most appropriate person should discuss the concern/consult with parents/carers/responsible adults.
- Parents/carers/responsible adults should be told of a report to Tusla unless it is likely to put the child/young person at further risk
- The Designated Officer may contact the Tusla Social Work Department for an informal consultation prior to making a report
- Information will be shared on a strictly 'need to know' basis (see Confidentiality Statement pg. 9)
- If there are reasonable grounds for concern as outlined above, the Designated Officer will contact the duty social worker in Tusla area using the standard reporting form (available from Tusla. See appendix three for sample form). Reports to the duty social worker can be made verbally initially and then followed by the standard reporting form. Reports should be made to Tusla without delay.
- If the Designated Officer/deputy is not available then contact the local Tusla Social Worker directly (see appendix two)
- In emergencies which are out of Tusla Social Work hours then contact the Gardaí. There may be situations which threaten the immediate safety of a child/young person where it may be necessary to contact the Gardaí

Confidentiality statement

We in Poetry Ireland are committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare we undertake that:

- Information will only be passed on, on a 'need to know' basis in order to safeguard the child/young person
- Giving such information to others for the protection of a child or young person is not a breach of confidentiality
- We cannot guarantee total confidentiality where the best interests of the child or young person are at risk**
- Parents/carers/responsible adults, children and young people have a right to know if personal information is being shared and/or a report is being made to Tusla, unless doing so could put the child/young person at further risk
- Images of a child/young person will not be used for any reason without the consent of the parent/carer (however, we cannot guarantee that cameras/videos will not be used at public performances)
- Procedures around the use of images of children/young people follow the Dochas Code of conduct on Images and Messages⁵
- Procedures will be put in place for the recording and storing of information in line with our confidentiality policy

⁵ Dochas Code of Conduct on Images and Messages
www.dochas.ie/sites/default/files/Images_and_Messages.pdf

Safe recruitment and selection procedures

Policy statement

We will ensure that our staff are carefully selected, trained and supervised to provide a safe artistic environment for all children and young people.

It is good practice that staff are recruited along the following lines:

- There are clearly defined roles and responsibilities for every job (paid or otherwise)
- Poetry Ireland office staff posts to be advertised widely
- We will endeavour to select the most suitably qualified personnel
- Poetry Ireland staff will be required to go through an application process
- WIS artists will be required to undergo a recruitment and mentoring process
- Poetry Ireland staff must provide at least two written references which are recent, relevant, independent and verbally confirmed will be necessary
- Poetry Ireland staff and WIS artists will be selected by a panel of at least two (or more) representatives through an interview process
- No person who would be deemed to constitute a 'risk' will be employed
 - Some of the exclusions would include:
 - any child related conviction
 - refusal to sign application form and declaration form
 - insufficient documentary evidence of identification
 - concealing information on one's suitability to working with children
- There will be a relevant probationary period (three months) for Poetry Ireland's office staff.
- All WIS artists will fulfil new mentoring requirements as per WIS criteria 2004⁴

- All relevant staff and volunteers will be required to consent to Gardaí disclosure, and where appropriate and available, this will be sought

4 See 'A Review of the Poetry Ireland Writers in Schools Scheme' 2005, www.poetryireland.ie

Safe management of staff

To protect staff and young people

New WIS artists will:

- be given a mandatory induction training session
- be made aware of the organisation's code of conduct, Designated Officer and their role, and the child protection procedures
- be expected to have read and signed the Child Protection Policy
- undergo mentoring or probation period
- will undergo Garda Vetting

All Poetry Ireland education staff will:

- be provided with an adequate level of supervision support and review of work practice
- be provided with child protection training (volunteers not available for training will be required to read an information pack on the organisation's child protection policies and procedures)
- will undergo Garda Vetting

Note: Freelance artists will agree to abide by the organisation's Child Protection Policy, and/or their own policy must be consistent with the Poetry Ireland guidelines

Responsible adult involvement and sharing of information

As we are a child-centred organisation we are committed to putting the interest of the child/young person first.

To that end we will:

- Work with the teacher/librarian/ responsible adult or contact Tusla/Gardaí where there is a child protection welfare concern
- Work in partnership with responsible adults under the guidelines set out by our organisation to ensure the safety of their children
- Have a designated contact person who is available for consultations

We undertake to:

- Advise teacher/librarian/responsible adults of our child protection policy
- Inform teachers/librarians/responsible adults and schools of all activities and potential activities
- Issue contact/consent forms where relevant
- Comply with health and safety practices
- Operate child-centred policies in accordance with best practice
- Ensure as far as possible that the activities are age appropriate
- Encourage and facilitate teacher/ librarian/responsible adult involvement where appropriate

If we have concerns about the welfare of the child/young person we will:

- Respond to the needs of the child or young person
- Inform the teachers/librarians/ responsible adults on an ongoing basis unless this action puts the child or young person at further risk

- Where there are child protection and welfare concerns we are obliged to pass these on to the Tusla duty social worker and, in an emergency, the Gardaí
- In the event of a complaint against a member of staff we will immediately ensure the safety of the child/young person and follow the procedures outlined overleaf in the 'Incidences of poor practice and allegations against staff'

Incidences of poor practice and allegations against staff

In the event of an allegation against staff

There are two separate procedures to be followed:

- A) The reporting procedure in respect of the child/young person
- B) The procedure for dealing with the worker

In the event that the allegation is being directly dealt with by Poetry Ireland:

- The deputy Designated Officer will deal with issues related to the child/young person
- The Designated Officer will deal with issues related to the worker in liaison with the Chairperson of the Board of Poetry Ireland

In the event that the allegation is being dealt with by the school/library:

- The school/library Designated Person will deal with issues related to the child/young person
- The Poetry Ireland Designated Person will deal with issues related to the worker in liaison with the Chairperson of the Board of Poetry Ireland

Incidences of poor practice and allegations against staff

- The first priority is to ensure that no child or young person is exposed to unnecessary risk
- If allegations are made against the Designated Officer then contact the Deputy Designated Officer
- The reporting procedures such as outlined under Section 3 of these guidelines will be followed. Parents/carers/responsible adults and child/young person (age appropriate) should be informed of actions planned and taken.
- The staff member will be informed as soon as possible
 - (i) that an allegation has been made against him/her
 - (ii) the nature of the allegation
- The staff member will be given the opportunity to respond
- The Chairperson will be informed as soon as possible
- Any action following an allegation of abuse against an employee will be taken in consultation with Tusla and Gardaí
- After consultation, chairperson/head of organisation will advise person accused and agreed procedures will be followed.
- Poetry Ireland will also follow good practice and contact the Tusla team involved, acknowledging and ensuring that the concern has been received.
- The Designated Officer will act in accordance with their role with the person against whom the allegation was received and advise the school/library that these procedures are being followed.

Complaints and comments procedures

- Complaints/comments will be responded to within three weeks
- The Education Officer, Jane O'Hanlon will have responsibility for directing complaints/comments to the appropriate person
- Verbal complaints will be logged and responded to

Accidents Procedure

(This may not always be applicable, but in the event that it is, the following procedure will apply).

- Outside organisations will be required to provide proof that they have public liability insurance
- First aid boxes will be available, and regularly restocked
- Availability of first aid will be in accordance with the school/library/host organisation.
- Incident books and first aid boxes will be clearly labelled and easily available
- Children and young people will be advised of risks of any dangerous materials
- Details of risky equipment used will be recorded and steps taken to minimise risk
- Where applicable responsibility for first-aid on off-site trips will be taken

Bibliography

Children First: National Guidance for the Protection and Welfare of Children, **Department of Children and Youth Affairs, 2017.**

Children First: National Guidance for the Protection and Welfare of Children, **Department of Children & Youth Affairs, 2011.**

Child Protection Policy and Code of Behaviour for working with children/ young people July 2011, **Department of Children & Youth Affairs, 2011.**

Dochas Code of Coonduct on Images and Messages **Dublin: Dochas 2006.**

A Review of the Writers in Schools Scheme, Gallagher, A. **Dublin: Poetry Ireland, 2005.**

Our Duty to Care: The Principles of Good Practice for the Protection of Children and Young People, **Department of Health and Children, 2002.**

Appendices

Appendix One Definitions and Reporting of Abuse⁶

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse.

The definitions of neglect and abuse presented in *Children First* (2017) are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety.

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver.

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Criteria for reporting: definitions and thresholds

As a mandated person, under the legislation you are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances. The four types of abuse are described in Chapter 2. The threshold of harm for each category of abuse at which mandated persons have a **legal** obligation to report concerns is outlined below.

If you are in doubt about whether your concern reaches the legal definition of harm for making a mandated report, Tusla can provide advice in this regard. You can find details of who to contact to discuss your concern on the Tusla website (www.tusla.ie). If your concern does not reach the threshold for mandated reporting, but you feel it is a **reasonable concern** about the welfare or protection of a child, you should report it to Tusla under this *Guidance*.

⁶ Children First: National Guidance for the Protection and Welfare of Children, Department of Children and Youth Affairs, 2017.

NEGLECT

Neglect is defined as 'to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care'. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child's needs have been neglected, are being neglected, or are at risk of being neglected to the point where **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

EMOTIONAL ABUSE/ILL-TREATMENT

Ill-treatment is defined as 'to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated'. Emotional abuse is covered in the definition of ill-treatment used in the Children First Act 2015.

The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being ill-treated to the point where **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

PHYSICAL ABUSE

Physical abuse is covered in the references to assault in the Children First Act 2015. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

SEXUAL ABUSE

If, as a mandated person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Tusla the Children First Act 2015.

Sexual abuse to be reported under the Children First Act 2015 [as amended by section 55 of the Criminal Law (Sexual Offences) Act 2017] is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015. A full list of relevant offences against the child which are considered sexual abuse is set out in **Appendix 3 of *Children First* (2017).**

Appendix Two

TUSLA social work contact details

A list of Tusla social workers may be found at:

<http://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/>

Appendix Three

Notification Form

A copy of the Tusla Standard Notification Form and Guidance Note can be found at:
<http://www.tusla.ie/services/child-protection-welfare/publications-and-forms/>

Appendix Four

Declaration

These will *Guidelines* we be amended as necessary in line with update *Children First: National Guidance for the Protection and Welfare of Children* Department of Children & Youth Affairs, and any other necessary changes required to keep in line with Legislation.

The *Guidelines* will be reviewed annually.